



Legislative Bulletin.....June 13, 2005

Contents:

- H.R. 1812** - Patient Navigator Outreach and Chronic Disease Prevention Act of 2005
- S. 643** - To amend the Agricultural Credit Act of 1987 to reauthorize State mediation programs.
- H.Con.Res. 47** — Commending the establishment in College Point, New York, of the first kindergarten in the United States
- H.Con.Res.163** — Honoring the Sigma Chi Fraternity on the occasion of its 150th Anniversary
- H.R. 2326** — Floyd Lupton Post Office Designation Act
- H.R. 1042** — Net Worth Amendment For Credit Unions Act

Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 1

Total Cost of Discretionary Authorizations: \$60.5 million over five years

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 0

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 0

**H.R. 1812 —Patient Navigator Outreach and Chronic Disease
Prevention Act of 2005 (Menendez)**

Order of Business: The bill is scheduled for consideration on June 13, 2005, under a motion to suspend the rules and pass the bill.

NOTE: Under House Republican Conference Rules, legislation creating a new federal program is not to be considered by the House on the Suspension Calendar. The

Conference rule may be waived and the elected Republican leadership has waived this restriction for H.R. 1812.

Last year, this measure (H.R. 918) passed the House by voice vote on October 5, 2004, on a day in which there were 14 bills on the floor.

Summary: H.R. 1812 authorizes a **new** demonstration grant program “for the development and operation of demonstration programs to provide patient navigator services to improve health care outcomes.” Grant recipients must “use the grant to recruit, assign, train, and employ patient navigators who have direct knowledge of the communities they serve to facilitate the care of individuals.” According to the legislation, patient navigators must perform the following duties:

- Assist in the coordination of health care services for patients seeking cancer prevention screenings or patients whose early detection screenings revealed “abnormal findings, or diagnosis of, cancer or other chronic disease.”
- Facilitate community involvement “in assisting individuals who are at risk for or who have cancer or other chronic diseases to receive better access to high-quality health care services.”
- Notify “individuals of clinical trials and, on request, facilitate enrollment of eligible individuals in these trials.”
- Assist patients to “overcome barriers within the health care system to ensure prompt diagnostic and treatment resolution of abnormal finding of cancer or other chronic disease.”
- Coordinate with health insurance programs to provide information to individuals regarding health coverage, “including private insurance, health care savings accounts,” and other programs such as Medicare, Medicaid, and Departments of Veterans Affairs and Defense health program.
- Conduct ongoing outreach to health disparity populations, including the uninsured, rural populations, and other medically underserved populations.”

H.R. 1812 allows entities already receiving federal funds to also receive patient navigator grants, if the “entity can demonstrate that amounts received under the grant will be utilized to expand services or provide new services to individuals who would not otherwise be served.”

Additionally, H.R. 1812 authorizes the Secretary of Health and Human Services to conduct a demonstration program to evaluate the impact of patient navigator programs.

Committee Action: H.R. 1812 was introduced on April 25, 2005, and referred to the Committee on the Energy and Commerce, which considered it, held a mark-up, and reported it to the House by voice vote on June 7, 2005. Committee Report [109-104](#)

Cost to Taxpayers: CBO estimates implementation of H.R. 1812 would cost \$23 million from 2006 through 2010. According to CBO, H.R. 1812 will cost \$2 million in

2006, \$5 million in 2007, \$8 million in 2008, \$6.5 million in 2009 and \$3.5 million in 2010.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. H.R. 1812 creates a new federal program.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No. According to Committee Report 109-104, “If state, local, or tribal governments choose to participate in the grant program as authorized by the bill, any costs resulting from grant conditions would be incurred voluntarily.”

Constitutional Authority: The Committee cites Article I, Section 8, Clause 3, which grants Congress the power to regulate commerce with foreign nations, among the several States, and with the Indian tribes.

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S. 643 — To amend the Agricultural Credit Act of 1987 to reauthorize State mediation programs (Senator Roberts)

Order of Business: The bill is scheduled for consideration on June 13, 2005, under a motion to suspend the rules and pass the bill.

Summary: S. 643 reauthorizes State mediation programs until 2010. The program’s authorization currently expires in 2005.

Additional Information: S. 643 is identical to [H.R. 1930](#), which was introduced in the House by Rep. Lucas (R-OK).

The Agricultural mediation program is administered by the Farm Service Agency (FSA). According to the FSA website, “Agricultural mediation is a way of settling disputes within a producer’s own means. The program provides a neutral mediator who can resolve problematic issues. Instead of the years it can take for a case to filter through the courts, mediation generally takes only a few meetings to complete. Mediation helps resolve many different areas of agricultural disputes, including farm loans, wetland determinations, conservation compliance, and pesticides. In addition to formal mediation services, most of the certified States provide mediation training and consultation services to producers, lenders, and USDA agencies.” For additional information, see <http://www.fsa.usda.gov/pas/publications/facts/html/mediate01.htm>.

Committee Action: S. 643 was introduced in the Senate on March 16, 2005, and passed the Senate by unanimous consent on April 21, 2005. It was held at the desk in the House and not referred to committee.

Cost to Taxpayers: The program is authorized at \$7.5 million per year, and thus, S.643 authorizes \$37.5 million over five years.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.Con.Res. 47 — Commending the establishment in College Point, New York, of the first kindergarten in the United States (*Crowley*)

Order of Business: The concurrent resolution is scheduled to be considered on Monday, June 13, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res. 47 states that it is resolved by the House (the Senate concurring), that:

“the Congress commends the Poppenhusen Institute and the College Point community for establishing the first free kindergarten in the United States; and

“the Congress supports the strong beginnings kindergartens across the United States [which] provide for the Nation’s children.”

Additional Information: In 1868, the Poppenhusen Institute was established in the name of German entrepreneur Conrad Poppenhusen. According to the resolution’s findings, the Institute was to serve the fundamental educational needs of the community and began as a free adult evening school for the residents of Flushing Town, New York. In 1870, the Poppenhusen Institute’s services expanded to serve as the first free kindergarten in the U.S. for the children of Mr. Poppenhusen’s factory and the community. The resolution states, “children who attend kindergarten demonstrate higher levels of reading and mathematics knowledge and skills... [and] more rapidly acquire the knowledge and skills integral to succeed in school and life.” H.Con.Res. 47 also notes the U.S. “is a stronger, better place because of the children who are able to enrich their academic and social development through free, public kindergartens across the country.”

Committee Action: H.Con.Res. 47 was introduced on February 8, 2005, and referred to the Committee on Education and the Workforce, which took no official action.

Cost to Taxpayers: None.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.Con.Res.163 — Honoring the Sigma Chi Fraternity on the occasion of its 150th Anniversary (Gerlach)

Order of Business: The concurrent resolution is scheduled to be considered on Monday, June 13, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res.163 states that it is resolved by the House (the Senate concurring), that “Congress recognizes and honors the Sigma Chi Fraternity on its 150-year anniversary; commends its Founders and all Sigma Chi brothers, past and present, for their bond of friendship, common ideals and beliefs, and service to community; and expresses its best wishes to this most respected and cherished of national fraternities for continued success and growth.”

Additional Information: According to the resolution’s findings, seven men at Miami University in Oxford, Ohio founded the Sigma Chi Fraternity in 1855 in order to establish “an association for the development of the nobler powers of the mind, the finer feelings of the heart, and for the promotion of friendship and congeniality of feeling.” The founders, according to the resolution, “believed that admission to the Fraternity should include men of good character and fair ability with ambitious purposes, congenial dispositions, good morals, a high sense of honor, and a deep sense of personal responsibility ...[and] for 150 years, the Sigma Chi Fraternity has played an integral role in the positive development in the character and education of hundreds of thousands of young men.” The group has 202,600 active brothers in 219 active chapters at colleges and universities in two countries.”

Committee Action: H.Con.Res. 163 was introduced on May 23, 2005, and referred to the Committee on Education and the Workforce, which took no official action.

Cost to Taxpayers: None.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

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H.R. 2326 — Floyd Lupton Post Office Designation Act — *as introduced*

(Jones of NC)

Order of Business: The bill is scheduled for consideration on Monday, June 13, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2326 would “designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the Floyd Lupton Post Office.”

Additional Information: Floyd Lupton served as Chief of Staff for Congressman Walter Jones, Sr. for over 26 years, retiring in 1992. Mr. Lupton died on May 10, 2005, at his home in Belhaven, North Carolina at the age of 82. He served in the U.S. Army 99th Infantry Division during World War II and saw action during the Battle of the Bulge. He reached the rank of first lieutenant and was awarded the Bronze Star. He also worked for Norfolk & Western Railroad, the state Wildlife Commission, the Beaufort County Sheriff's Department and state Board of Parole before joining the senior Congressman Jones' staff.

Committee Action: H.R. 2326 was introduced on May 12, 2005, and referred to the Committee on the Government Reform. The bill was considered by committee on May 26, 2005, and reported out to the full House by unanimous consent.

Cost to Taxpayers: A CBO score of H.R. 2326 is unavailable, but the only costs associated with a postal facility renaming are those for sign and map changes, none of which significantly affect the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

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H.R. 1042 — Net Worth Amendment For Credit Unions Act — *as introduced* (Bachus)

Order of Business: The bill is scheduled for consideration on Monday, June 13, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1042 would amend the Federal Credit Union Act to clarify the definition of net worth under certain circumstances for purposes of the prompt corrective action authority of the National Credit Union Administration Board.

The bill would redefine “net worth” as the retained earnings balance of a credit union (as determined under generally accepted accounting principles, as under current law), together with any amounts that were previously retained earnings of any other credit union that was combined with the primary credit union.

Additional Information: The Financial Accounting Standards Board (FASB) proposed a rule in 2001 issuing new guidelines outlining the accounting methods for financial institution mergers. The proposal would eliminate the current “pooling” method, which results in the simple combination of balance sheets for the merging institutions, and implements the “purchase” method. The purchase method requires a differentiation between the acquiring and acquired institution’s equity. The acquiring institution’s equity will be maintained as net worth or retained earnings of the merged institutions, while the acquired institution’s equity, for accounting purposes, will be identified as “acquired equity.”

According to the Credit Union Trade Association, the problem with the proposed purchase method for credit union mergers is that the Federal Credit Union Act defines net worth for purposes of prompt corrective action (PCA) as “retained earnings.” Under the FASB proposal, after a merger, a credit union’s equity would have two entries: “retained earnings” and “acquired equity.” As a result, the merger of two similar sized credit unions would likely trigger PCA, as the regulatory net worth of the surviving credit unions would likely be less than the 7% required for the status of “well capitalized,” and 6% for “adequately capitalized.”

Committee Action: H.R. 1042 was introduced on March 2, 2005, and referred to the Committee on Financial Services Subcommittee on Financial Institutions and Consumer Credit. A Subcommittee hearing was held on March 13, 2005. No further Committee action was taken.

Cost to Taxpayers: A CBO score of H.R. 1042 is unavailable, but the bill does not authorize new expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority for H.R. 1042 is unavailable.

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